

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**JAMES W. SMITH, Jr., on his own
behalf and on behalf of those
similarly situated,**

Plaintiff,

v.

**QUESTAR CAPITAL CORPORATION,
YORKTOWN FINANCIAL
COMPANIES, INC., and ALLIANZ
LIFE INSURANCE COMPANIES of
NORTH AMERICA,**

Defendants.

Case No: **12-cv-02669 (SRN/TNL)**

**PLAINTIFF'S MOTION FOR FINAL APPROVAL OF
SETTLEMENT AND CLASS CERTIFICATION**

Plaintiff's Counsel hereby moves for the Court to provide final approval of the settlement and certify the settlement class.

This Motion is based on the pleadings, files and records herein, including Plaintiff's Memorandum of Law in Support of Motion for Final Approval of Settlement and Class Certification.

Dated: August 18, 2015

Respectfully submitted,

s/Daniel E. Gustafson

Daniel E. Gustafson (#202241)

Karla M. Gluek (#238399)

David A. Goodwin (#386715)

GUSTAFSON GLUEK PLLC

Canadian Pacific Plaza

120 South Sixth Street, Suite 2600

Minneapolis, MN 55402

Telephone: (612) 333-8844

dgustafson@gustafsongluek.com

kgluek@gustafsongluek.com

dgoodwin@gustafsongluek.com

Scott D. Hirsch (admitted *pro hac vice*)

Florida Bar No. 50833

SCARLETT & HIRSCH, P.A.

7777 Glades Road, Suite 200

Boca Raton, FL 33434

Telephone: (561) 278-6707

scott@shlawfla.com.com

Attorneys for Plaintiff